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STAAS & HALSEY LLP
SUITE 700
1201 NEW YORK AVENUE, N.W.
WASHINGTON, DC 20005

EXAMINER

MANNING, JOHN

| ART UNIT | PAPER NUMBER |
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2614

DATE MAILED: 08/26/2004

4

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/767,716

Applicant(s)

HASHIMOTO, KEN

Examiner

John Manning

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>8/16/01</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-7 and 9-11 are rejected under 35 U.S.C. 102(e) as being anticipated by Leak et al. (US Pat No 6,182,072).

In regard to claim 1, the claimed limitation of “a receiving device receiving content information of data broadcasting in digital broadcasting” is met by Figure 4, Item 27 and 29. Modem 27 receives the content information. The reference discloses that any communication path may be used, which includes digital broadcasting. “Note that modem 27 may be a conventional telephone modem, an ISDN or Ethernet adapter, or any other suitable data communication device” (Col 4, Lines 43-46). The claimed limitation of “an instruction device generating instruction information to be used to automatically select a plurality of selection items included in the content information from the content information” is met by Figure 4, Items 21-23. The “present invention can be carried out by the CPU 21 executing sequences of instructions contained in memory (i.e., NVS 22, RAM 23, or a combination thereof). More specifically, execution of the sequences of instructions causes the CPU 21 to perform the steps of the present

invention. Instructions for carrying out the present invention may be loaded into memory from a mass storage device" (Col 5, Lines 6-12). The claimed limitation of "an output device outputting the content information while automatically selecting the plurality of selection items according to the instruction information" is met by Figure 9 and the client system 1 of Figure 1. The "client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated" (Col 8, Lines 27-30).

In regard to claim 2, the claimed limitation of "an analysis device extracting the plurality of selection items by analyzing the content information" is met by the routine of Figure 9. The "client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages)" (Col 7, Lines 34-44). The claimed limitation "generating an operational procedure for selecting the plurality of selection items in a prescribed order" is met by step 904 of Figure 9. "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time. In one embodiment, the period of time is defined based on the content of the current Web page and is therefore variable" (Col 7, Lines 44-48).

In regard to claim 3, the claimed limitation that "if the content information consists of a plurality of pages, said analysis device analyzes a link between the plurality of selection items and generates an operational procedure that covers the plurality of pages, and said instruction device generates instruction information for sequentially outputting the plurality of pages" is met by Figure 9. "FIG. 9 illustrates an overall routine for providing a tour of Web pages according to a simple embodiment" (Col 7, Lines 32-33). "In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document" (Col 7, Lines 38-41). "In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages). In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time" (Col 7, Lines 41-46).

In regard to claim 4, the claimed limitation "an extracting device extracting the operational procedure for selecting the plurality of selection items in a prescribed order from the content information if the operational procedure is in advance described in the content information wherein said instruction device generates the instruction information according to the operational procedure" is met by Figure 8. The HTML web page contains URLs, which specify another web page. The web pages have a hierarchal structure as shown in Figure 8. "Each hypertext anchor in an HTML Web page is associated with a particular URI (Uniform Resource Identifier), which specifies the location (i.e., logical address) of another Web page or other data. Hypertext anchors

Art Unit: 2614

and other displayable objects are identified in an HTML document by a number of "tags", which specify the attributes of the object, including the associated URI in the case of hypertext anchors" (Col 6, Lines 58-65). Additionally, "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time" (Col 7, Lines 44-46).

In regard to claim 5, the claimed limitation of "wherein if the content information consists of a plurality of pages, said extraction device extracts information about an operational procedure that is generated by analyzing a link between the plurality of selection items and that covers the plurality of pages, and said instruction device generates instruction information for sequentially outputting the plurality of pages" is met by Figure 8. "Each hypertext anchor in an HTML Web page is associated with a particular URI (Uniform Resource Identifier), which specifies the location (i.e., logical address) of another Web page or other data. Hypertext anchors and other displayable objects are identified in an HTML document by a number of "tags", which specify the attributes of the object, including the associated URI in the case of hypertext anchors" (Col 6, Lines 58-65). Additionally, "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time" (Col 7, Lines 44-46).

In regard to claim 6, the claimed limitation of "a generation device analyzing content information of data broadcasting in digital broadcasting and generating an operational procedure for automatically selecting a plurality of selection items included in the content information" is met by Figure 4, Items 21-23 and the routine of Figure 9.

Art Unit: 2614

The "client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated" (Col 8, Lines 27-30). The "client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages)" (Col 7, Lines 34-44). Additionally, Modem 27 receives the content information. The reference discloses that any communication path may be used, which includes digital broadcasting. "Note that modem 27 may be a conventional telephone modem, an ISDN or Ethernet adapter, or any other suitable data communication device" (Col 4, Lines 43-46). The claimed limitations of "a description device describing information about the operational procedure in the content information in such a way to output the content information according to the operation procedure" and "an output device outputting content information in which information about the operational procedure is described" are met by Figure 8. "Each hypertext anchor in an HTML Web page is associated with a particular URI (Uniform Resource Identifier), which specifies the location (i.e., logical address) of another Web page or other data. Hypertext anchors and other displayable objects are identified in an HTML document by a number of "tags", which specify the attributes of the object, including the associated URI in the case of hypertext anchors"

(Col 6, Lines 58-65). Additionally, "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time" (Col 7, Lines 44-46).

In regard to claim 7, the claimed limitation of "analyzing content information of data broadcasting in digital broadcasting and extracting a plurality of selection items from the content information" is met by the routine of Figure 9. The "client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages)" (Col 7, Lines 34-44). Further, "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time. In one embodiment, the period of time is defined based on the content of the current Web page and is therefore variable" (Col 7, Lines 44-48). The claimed limitation of "generating an operational procedure for automatically selecting the plurality of selection items in such a way to output the content information while automatically selecting the plurality of selection items" is met by Figure 9 and the client system 1 of Figure 1. The "present invention can be carried out by the CPU 21 executing sequences of instructions contained in memory (i.e., NVS 22, RAM 23, or a combination thereof). More

specifically, execution of the sequences of instructions causes the CPU 21 to perform the steps of the present invention. Instructions for carrying out the present invention may be loaded into memory from a mass storage device" (Col 5, Lines 6-12). The claimed limitation of "an output device outputting the content information while automatically selecting the plurality of selection items according to the instruction information" is met by the client system 1 of figure 1 and Figure 9. The "client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated" (Col 8, Lines 27-30).

In regard to claim 9, the claimed limitation of "receiving means for receiving content information of data broadcasting in digital broadcasting" is met by Figure 4, Item 27 and 29. Modem 27 receives the content information. The reference discloses that any communication path may be used, which includes digital broadcasting. "Note that modem 27 may be a conventional telephone modem, an ISDN or Ethernet adapter, or any other suitable data communication device" (Col 4, Lines 43-46). The claimed limitation of "instruction means for generating instruction information to be used to automatically select a plurality of selection items included in the content information from the content information" is met by Figure 4, Items 21-23. The "present invention can be carried out by the CPU 21 executing sequences of instructions contained in memory (i.e., NVS 22, RAM 23, or a combination thereof). More specifically, execution of the sequences of instructions causes the CPU 21 to perform the steps of the present invention. Instructions for carrying out the present invention may be loaded into memory from a mass storage device" (Col 5, Lines 6-12). The claimed limitation of "output

means for outputting the content information while automatically selecting the plurality of selection items according to the instruction information” is met by Figure 9 and the client system 1 of Figure 1. The “client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated” (Col 8, Lines 27-30).

In regard to claim 10, the claimed limitation of “generation means for analyzing content information of data broadcasting in digital broadcasting and generating an operational procedure for automatically selecting a plurality of selection items included in the content information” is met by Figure 4, Items 21-23 and the routine of Figure 9. The “client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated” (Col 8, Lines 27-30). The “client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages)” (Col 7, Lines 34-44). Additionally, Modem 27 receives the content information. The reference discloses that any communication path may be used, which includes digital broadcasting. “Note that modem 27 may be a conventional telephone modem, an ISDN or Ethernet adapter, or any other suitable data communication device” (Col 4, Lines 43-46). The claimed

limitations of "description means for describing information about the operational procedure in the content information in such a way to output the content information in the operation procedure" and "output means for outputting content information in which information about the operational procedure is described" are met by Figure 8. "Each hypertext anchor in an HTML Web page is associated with a particular URI (Uniform Resource Identifier), which specifies the location (i.e., logical address) of another Web page or other data. Hypertext anchors and other displayable objects are identified in an HTML document by a number of "tags", which specify the attributes of the object, including the associated URI in the case of hypertext anchors" (Col 6, Lines 58-65). Additionally, "In step 904, the client system 1 displays these additional Web pages in a sequence, displaying each Web page for a defined period of time" (Col 7, Lines 44-46).

In regard to claim 11, the claimed limitation of "analyzing content information of data broadcasting in digital broadcasting and extracting a plurality of selection items from the content information" is met by the routine of Figure 9. The "client system 1 initially receives a Web page (i.e., the top level Web page). The Web page may be received in response to the user of the client system 1 activating a hypertext link in another Web page, for example. In step 902, the client system 1 identifies URIs that are referred to by the received Web page. As noted above, the client system 1 is able to identify URIs based on the tags in an HTML document. In step 903, the client system 1 uses the identified URIs to request and receive each of the Web pages that are directly linked to the current Web page (i.e., the second level of Web pages)" (Col 7, Lines 34-44). Further, "In step 904, the client system 1 displays these additional Web pages in a

sequence, displaying each Web page for a defined period of time. In one embodiment, the period of time is defined based on the content of the current Web page and is therefore variable" (Col 7, Lines 44-48). The claimed limitation of "generating an operational procedure for automatically selecting the plurality of selection items in such a way to output the content information while automatically selecting the plurality of selection items" is met by Figure 9 and the client system 1 of Figure 1. The "present invention can be carried out by the CPU 21 executing sequences of instructions contained in memory (i.e., NVS 22, RAM 23, or a combination thereof). More specifically, execution of the sequences of instructions causes the CPU 21 to perform the steps of the present invention. Instructions for carrying out the present invention may be loaded into memory from a mass storage device" (Col 5, Lines 6-12). The claimed limitation of "an output device outputting the content information while automatically selecting the plurality of selection items according to the instruction information" is met by the client system 1 of figure 1 and Figure 9. The "client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated" (Col 8, Lines 27-30).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 8 is rejected under 35 U.S.C. 103(a) as being unpatentable over Leak et al.

In regard to claim 8, the claimed limitation of "a receiving device receiving content information of data broadcasting in digital broadcasting" is met by Figure 4, Item 27 and 29. Modem 27 receives the content information. The reference discloses that any communication path may be used, which includes digital broadcasting. "Note that modem 27 may be a conventional telephone modem, an ISDN or Ethernet adapter, or any other suitable data communication device" (Col 4, Lines 43-46). The claimed limitation of "an instruction device generating instruction information to be used to automatically select a plurality of selection items included in the content information from the content information" is met by Figure 4, Items 21-23. The "present invention can be carried out by the CPU 21 executing sequences of instructions contained in memory (i.e., NVS 22, RAM 23, or a combination thereof). More specifically, execution of the sequences of instructions causes the CPU 21 to perform the steps of the present invention. Instructions for carrying out the present invention may be loaded into memory from a mass storage device" (Col 5, Lines 6-12). The claimed limitation of "an output device outputting the content information while automatically selecting the plurality of selection items according to the instruction information" is met by Figure 9 and the client system 1 of Figure 1. The "client system 1 automatically displays a sequence of Web pages without requiring the user to enter any input once the tour is initiated" (Col 8, Lines 27-30). The reference fails to explicitly disclose confirming the outputted content information. However, the examiner takes OFFICIAL NOTICE that is notoriously well

know in the art to confirm outputted content information so as to ensure that the user is receiving the valid data. Consequently, it would have been obvious to one of ordinary skill in the art to implement Leak et al. confirming the outputted content information so as to ensure that the user is receiving the valid data.

Conclusion

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure as follows.


- The Davis et al. (US Pat No 5,576,755) reference discloses a system and method for verification of electronic television program guide data.
- The Galler et al. (US Pat No 5,883,665) reference discloses testing system for simulating human faculties in the operation of video equipment.
- Pivnichny et al. (US Pat No 5,974,445) reference discloses a web browser, which checks availability of hot links.
- Blumer et al. (US Pat No 5,890,171) reference discloses computer system and computer-implemented method for interpreting hypertext links in a document when including the document within another document.
- The Lawler et al. (US Pat No 5,585,838) reference discloses a program time guide.
- The Nyman (US Pat No 5,943,048) reference discloses a method and apparatus for testing a graphic control area.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to John Manning whose telephone number is 703-305-0345. The examiner can normally be reached on M-F: 8:00 - 5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John W Miller can be reached on 703-305-4795. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JM
August 23, 2004


JOHN MILLER
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600